

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

DENA COMER,)	
)	
Plaintiff,)	Case No. 08 C 3376
)	
v.)	Judge Dow
)	
DEPUTY SHERIFF ANDREW EVANS,)	Magistrate Judge Ashman
SHERIFF THOMAS J. TEMPLETON,)	
officially as Sheriff of LaSalle County, and)	Jury Demand
the COUNTY OF LASALLE,)	
)	
Defendants.)	

PLAINTIFF'S MOTION TO PRESERVE EVIDENCE

NOW COMES the Plaintiff, DENA COMER, by and through her attorneys GREGORY E. KULIS AND ASSOCIATES, LTD., and in support of said motion states as follows:

1. Plaintiff has brought an action against Deputy Sheriff Andrew Evans, Sheriff Thomas J. Templeton, officially as Sheriff of LaSalle County, and the County of LaSalle for the alleged actions of Deputy Sheriff Andrew Evans which took place between November and December 2007.
2. A complaint was made by Plaintiff to Investigators Crouch and Renner with the LaSalle County Sheriff's Office and a written report was completed regarding this complaint.
3. Plaintiff tendered letters she received from Defendant Evans and the semen left in her cell to the foregoing investigators on December 1, 2007.
4. A few days after December 1, 2007, Plaintiff contacted Investigator Renner upon learning that the Illinois State Police should have been the investigating agency.
5. Plaintiff asked Investigator Renner for a copy of the written report arising from her complaint, along with the letters and DNA evidence she had

previously tendered so that the materials could be turned over to the proper agency.

6. Investigator Renner indicated that he would return these materials.
7. These materials were never returned to Plaintiff, despite a follow-up letter from Plaintiff to Investigator Renner.
8. Plaintiff understands that there is evidence that may be destroyed.
9. Plaintiff is requesting that the following evidence and items be preserved:
 - a. All documents regarding the incident giving rise to this Complaint including, but not limited to, reports, memos, notes, assignment sheets, complaints, tickets, and inventory reports.
 - b. All DNA evidence and reports of results regarding any tests performed on the evidence.
 - c. All investigative records regarding the incident complained of including, but not limited to, all formal or informal, handwritten or typed, documents and/or notes from Investigators Renner, Crouch, or any other investigators or sheriff's department officials.
10. Plaintiff is requesting an order be entered to have the LaSalle County Sheriff's Office, Sheriff Tom Templeton and Defendant Evans preserve all the above stated evidence.

WHEREFORE, the Plaintiff, DENA COMER, request an order be entered preserving the evidence listed above pertaining to Dena Comer and Defendant Evans.

Respectfully submitted,

/s/ Ronak Patel
Gregory E. Kulis & Associates

Gregory E. Kulis & Associates
30 N. LaSalle Street, #2140
Chicago, IL 60602
312-580-1830